

KENTON CITY COUNCIL

16th REGULAR SESSION

August 25, 2025
7:00 PM
Council Chambers

AGENDA

ROLL CALL

PRAYER

PLEDGE OF ALLEGIANCE

APPROVAL OF PRIOR MINUTES

CITIZENS REQUESTING TIME TO SPEAK

COMMUNICATIONS

PETITIONS

ADMINISTRATION REPORTS:

- Police Chief
- Fire Chief
- Economic Development*
- Income Tax*
- Auditor
- Treasurer
- Law Director
- Safety Service Director*
- Mayor

* Denotes written report included in packet

REPORTS & SCHEDULING OF STANDING COMMITTEES AND/OR SPECIAL COMMITTEES:

- Finance
- Management, Organization and Personnel
- Public Utilities
- Streets, Alleys, and Sidewalks* August 27th 3:30
- Legislation, Codes and Regulations August 27th 4:30

REPORTS FROM COUNCIL MEMBERS:

- Regional Planning
- Parks & Rec Board September 10th 6:00
- Grove Cemetery Board
- Shade Tree Commission
- BKP Ambulance District Board

OLD BUSINESS:

NEW BUSINESS:

ORDINANCES / RESOLUTIONS:

1ST READING:

- *RESOLUTION NO. 034-25, TITLE ONLY; A RESOLUTION AUTHORIZING THE MAYOR AND OR SAFETY SERVICE DIRECTOR TO APPLY FOR, ACCEPT, AND ENTER INTO AN OHIO DEPARTMENT OF NATURAL RESOURCES DIVISION OF FORESTRY AGREEMENT ON BEHALF OF THE CITY OF KENTON FOR THE OHIO'S URBAN FORESTRY GRANT PROGRAM, AND DECLARING AN EMERGENCY.
- *RESOLUTION NO. 035-25, TITLE ONLY; A RESOLUTION CONSENTING TO THE EXECUTION OF AN AGREEMENT BETWEEN THE BOARD OF COMMISSIONERS OF HARDIN COUNTY, OHIO, AND KENTON HEALTH FACILITIES, LLC AND/OR VANCREST OF KENTON, LLC, FOR THE ADOPTION OF A PROJECT FOR THE CONSTRUCTION OF A NEW NURSING HOME/ASSISTED LIVING FACILITY AND THAT WILL CREATE EMPLOYMENT OPPORTUNITIES WITHIN THE CITY'S ENTERPRISE ZONE, AND DECLARING AN EMERGENCY.
- RESOLUTION NO. 036-25, TITLE ONLY; RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

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2nd READING:

None.

3rd READING:

- ORDINANCE NO. 25-010, TITLE ONLY; AN ORDINANCE TO CHANGE THE ZONING OF THE REAL PROPERTY LOCATED AT 222 W. CARROL STREET IN THE CITY OF KENTON, OHIO, OWNED BY THE BOARD OF EDUCATION OF THE KENTON CITY SCHOOL DISTRICT, FROM SCHOOL ZONING / R-1 (ONE & TWO FAMILY RESIDENCE DISTRICT) TO B-1 (NEIGHBORHOOD BUSINESS DISTRICT), AND DECLARING AN EMERGENCY.
- ORDINANCE NO. 25-012, TITLE ONLY; AN ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO ADVERTISE FOR BIDS FOR ROCK SALT FOR THE PUBLIC WORKS DEPARTMENT, AND TO CONTRACT WITH THE LOWEST AND/OR BEST BIDDER.

OTHER MATTERS

COMMENTS FROM THE PUBLIC

COMMENTS FROM THE NEWS MEDIA

COMMENTS FROM COUNCIL MEMBERS AND ADMINISTRATION

ADJOURN

NEXT REGULAR MEETING—Monday September 8, 2025 7PM

RECORD OF PROCEEDINGS

Minutes of

KENTON CITY COUNCIL

Meeting

Lifenthal Southeastern, Inc. 1-800-837-1904, Re-Order 66865K

Held

August 11, 2025

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15th REGULAR SESSION:

Kenton City Council met in their 15th Regular Session on August 11, 2025, at 7:00 PM, in Council Chambers. Present: Sue Fox Buroker, David Beazley, Steve Walter, Chad Miller, Pegg Wren, Robin Jones, Law Director John Schwemer, Mayor Lynn Webb, Safety Service Director Cindy Murray, President Joel Althaus. Absent: Anda Tudor.

Prayer given by Mr. Althaus:

Heavenly Father, our hearts are heavy as we mourn the loss of Anda Tudor. We thank You. You blessed us with Anda in so many ways, as a caring friend, a welcoming neighbor, a loving mother, and a staunch volunteer. We have been so fortunate for the time we shared, the laughter, the memories, and the impact she had on our lives. Please bring comfort to Anda's family and peace in knowing that she has now joined John in Your eternal care. AMEN.

Pledge of Allegiance recited.

Althaus: Again, welcome, everyone. Try to work through everything tonight as quickly as we can, and I know there's probably a few folks here just to either ask questions or have thoughts on the charter initiative that is on the ballot and the process. So, I think when we get to other matters, I will just ask, if anyone's here for that, and we'll kind of give everybody a chance to ask what they want to ask, or talk, or everyone be quiet and we move on.

MINUTES:

Althaus: Are there any additions or corrections to those minutes as they were presented in your packets? Thanks. Hearing none, they'll stand approved as submitted.

CITIZENS REQUESTING TIME TO SPEAK:

None.

COMMUNICATIONS:

None.

PETITIONS:

None.

ADMINISTRATION REPORTS:

Althaus: I don't think we have anyone from police here. So, Fire Chief Donnelly?

Chief Donnelly: I guess I just want to take time to thank Emma, Tori, Whitney, and everyone behind the National Night Out event and stuff, and we were glad to host them. We just want thank all the volunteers that helped that night, too, because we had a really good turnout for it. So, I just appreciate all the help that we had for that. The new truck, the chassis is supposed to be completed on September 5th, and we're still looking at a projected completion date of September '26. So, everything seems to be moving along. So, I haven't heard of any glitches or hiccups there. So, ladder truck, most of the repair has been done to it. They're doing a lot of extensive diagnostic work on the hydraulic system just to make sure we don't replace one expensive part that doesn't solve the problem. So, they're trying to make they actually to find the problem before they start making repairs to it. So, hopefully we'll be getting more updates this week and maybe get it back here shortly, so.

Althaus: Thanks, Bruce. Economic Development, I guess I would just point out that there is a communication from the Chamber of Business Alliance Economic Development report for August of '25. If you have questions about that, feel free to ask Lynn or reach out to Holli directly. Anything to add in that area, Lynn? Anything you want to highlight or?

Webb: No, I'll probably catch it on the end

Althaus: Income Tax also have a report there that's the income tax report, I believe through at the end of, is it just the end of May?

Murray: Mhm.

Althaus: Okay, the end in May. Any thoughts on that or questions? Auditor, anything to talk about tonight? Treasurer? John?

Schwemer: Nothing at this time.

Miller: I got a question for John, actually.

Althaus: Wonderful.

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Miller: I've just kind of thought about it, we're like three months like on the Rigdon and surplus, as far as recouping our money, like our \$204,000.00, like we're three months past.

Schwemer: We're working on, we just got the final invoice in last week, so you know we're working on trying to get a deadline and we'll move forward. I will advise council if we are moving forward on that.

Miller: Alright.

Schwemer: So, I should have a report one way or another at the next council meeting.

Miller: Okay, thanks.

Althaus: All right, mayor Webb?

Webb: I'll wait.

REPORTS & SCHEDULING OF STANDING COMMITTEES AND/OR SPECIAL COMMITTEES:

Althaus: I'd have to remind everyone we did have a written report of the committee as a whole that met two weeks ago regarding, mostly regarding the charter, almost totally regarding the charter initiative. Any questions on that report? All right then, let's go Finance anything to...

Beazley: No, sir just a reminder we will meet at 6 o'clock prior to the next session for our initial budget conversations.

Althaus: MOP, anything?

Wren: Nothing.

Althaus: Okay, and how about Utilities?

Buroker: Yeah, we meet day after tomorrow at 3:30, as far as I know, if it's still on.

Althaus: Streets, looks like meet on the 27th, followed by Legislative, right? All right, any council members that have an appointment, have anything to report? Just, I'll just open up the floor.

Beazley: Regional Planning did meet this past Thursday, nothing of significance to bring before the body.

Althaus: Anyone else?

Buroker: Tree Commission meets the 25th at 5:30.

Althaus: And I would say I have nothing to report for BKP special, so.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

ORDINANCES /RESOLUTIONS:

1ST READING

None.

2ND READING

- **ORDINANCE NO. 25-010, TITLE ONLY; AN ORDINANCE TO CHANGE THE ZONING OF THE REAL PROPERTY LOCATED AT 222 W. CARROL STREET IN THE CITY OF KENTON, OHIO, OWNED BY THE BOARD OF EDUCATION OF THE KENTON CITY SCHOOL DISTRICT, FROM SCHOOL ZONING / R-1 (ONE & TWO FAMILY RESIDENCE DISTRICT) TO B-1 (NEIGHBORHOOD BUSINESS DISTRICT), AND DECLARING AN EMERGENCY.**

Althaus: Anything new on this? Anybody have any thoughts or questions? All right, if there's no objections, we'll read that again at our next meeting for a third and final time.

- **ORDINANCE NO. 25-012, TITLE ONLY; AN ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO ADVERTISE FOR BIDS FOR ROCK SALT FOR THE PUBLIC WORKS DEPARTMENT, AND TO CONTRACT WITH THE LOWEST AND/OR BEST BIDDER.**

Althaus: Cindy, you still not in a hurry to buy salt?

Murray: No.

Althaus: Price isn't going up. We don't need to lock that in, do we?

Murray: No, I don't think we're going to have a blizzard anytime soon.

Althaus: Okay. All right. We'll read that again then also the next meeting

RECORD OF PROCEEDINGS

Minutes of

KENTON CITY COUNCIL

Meeting

Lilienthal Southeastern, Inc., 1-800-837-1904, Re-Order 66665K

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3rd READING

- **RESOLUTION NO. 028-25, TITLE ONLY; A RESOLUTION AUTHORIZING THE CITY OF KENTON TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT (WSRLA) AGREEMENT ON BEHALF OF THE CITY OF KENTON FOR CONSTRUCTION OF WAYNE STREET TRUNK LINE PHASE II WATER REPLACEMENT; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND DECLARING AN EMERGENCY.**

Althausser: Is everybody comfortable with where we are on this, or do you need anything from Cindy?

Motion by Mrs. Buroker and second by Mrs. Wren to adopt Resolution No. 028-25.

Althausser: Any discussion? (Roll call vote, 6 ayes, motion carried.)

- **RESOLUTION NO. 029-25, TITLE ONLY; A RESOLUTION AUTHORIZING THE CITY OF KENTON TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE CITY OF KENTON FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WAYNE STREET TRUNK LINE SANITARY SEWER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND DECLARING AN EMERGENCY.**

Althausser: Where there's water, you have waste. So, here's the waste side. Any questions?

Motion by Mr. Miller and second by Mrs. Buroker to adopt Resolution No. 029-25.

Althausser: Any discussion? (Roll call vote, 6 ayes, motion carried.)

- **RESOLUTION NO. 030-25, TITLE ONLY; A RESOLUTION AUTHORIZING THE CITY OF KENTON TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT (WSRLA) AGREEMENT ON BEHALF OF THE CITY OF KENTON FOR CONSTRUCTION OF BARRON STREET WATER REPLACEMENT; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND DECLARING AN EMERGENCY.**

Althausser: I think everybody remembers this was kind of an offshoot of fixing the end of Barron Street hole.

Murray: Yes.

Motion by Mrs. Wren and second by Mr. Miller to adopt Resolution No. 030-25.

Althausser: Any discussion? (Roll call vote, 6 ayes, motion carried.)

- **RESOLUTION NO. 031-25, TITLE ONLY; A RESOLUTION AUTHORIZING THE CITY OF KENTON TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE CITY OF KENTON FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF BARRON STREET STORM FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND DECLARING AN EMERGENCY.**

Althausser: Same drill.

Motion Ms. Jones and second by Mrs. Wren to adopt Resolution No. 031-25.

Althausser: Any discussion? (Roll call vote, 6 ayes, motion carried.)

OTHER MATTERS:

Althausser: Before we get into the charter, obviously very recent developments and that was on this passing news just today. We'll have to get our wits about us though when things do move on and then we do have, we will have an unfilled seat. That we'll have to look at, need to find out, well, we'll look into it. I'm trying to remember how she ran. Might be reaching out to somebody for doing some interviews. We'll have to see what happens.

Schwemer: I'm familiar with...

Althausser: Yeah, I can't remember if she was independent.

Schwemer: She was.

Althausser: She was, so then it's on us.

Schwemer: Right, yeah, it'd be a city council decision. We've done this before, you know, so we can seek anyone at large, it is, you know, and try to figure out, and of course, there are a couple of write-ins.

Althausser: Right.

Schwemer: So, for, you know, this is going to be a short-term deal, because it'll only be through the end of the year.

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Althaus: Very similar to what Jacqueline did several years ago, and I think there's still time for write-ins, I believe, another week or two?

Schwemer: 25th of August, but that still doesn't help our unexpired term.

Althaus: No, no, no.

Schwemer: If you're talking about people that may be interested...

Althaus: Right.

Schwemer: People that are going to be on, as a write-in or somebody, I think we'd at least want to reach out to.

Althaus: Right, might be reaching out to some of you, all of you here next few days. I think we're actually supposed to do that within 30 days, aren't we?

Schwemer: I'd have to check.

Althaus: Okay charter, I do know someone has a sheet of questions, so I'm going to start there and as we do, introduce yourself please.

Colleen O'Connell: Yes, my name is Colleen O'Connell. I have a question about the Charter City. I've read what's been in the paper. I've read the advice code ordinances. I'm not clear on any of it. So, I'm hoping you people who are pushing it or know about it can answer some of my questions. It's my understanding that there are certain, there are people have to run to be on the committee. There has to be a minimum of twelve?

Miller: Fifteen.

Colleen O'Connell: Fifteen, but no maximum.

Miller: Fifteen is...

Colleen O'Connell: The number.

Miller: The number.

Colleen O'Connell: What happens if fifteen people do not run?

Miller: Council would appoint.

Colleen O'Connell: What if fifteen people don't want to do it. You can't force people.

Beazley: You are correct.

Miller: You can't force people, but I'm not going to say... I would be hard pressed not to find fifteen people out of 8,000. That if they didn't have, I'm not saying everybody's all about putting their name on a ballot and putting their names out there in that regard, but they would want to be involved otherwise. I feel like, I feel comfortable that fifteen would be willing to participate. Whether it's...

Colleen O'Connell: So the people would just be appointed?

Miller: They would be appointed.

Colleen O'Connell: So they wouldn't have to go through getting a petition, filing a petition filing fee and getting their...

Jones: There's no filing fee.

Miller: No filing fee. They would not have to go through the process of getting the twenty-five signatures correct.

Althaus: And just to kind of give an update, I think we know of two that have already filed, and I want to say another half dozen that are working on it. That's just what I am aware of.

Schwemer: The top 15 vote getters are the ones who would have...

Colleen O'Connell: And if there's not fifteen on the ballot, then the council would...

Schwemer: If it would be twelve then, you know, through a process as determined by council. Council would have to sit down on how they're going to get names, whether it's in the newspaper reaching out, you know. There's no formal rules on how that's to be done, so it'd be kind of...

Colleen O'Connell: Has that been discussed?

Schwemer: Well, I don't think so, because I think the hope is that there will be fifteen members, and the group is working to try to get people on that.

Colleen O'Connell: And those members are non-reimbursed, correct?

Miller: Correct.

Colleen O'Connell: So, they're basically doing it for free.

Miller: They're doing a service to their communities, or I would phrase it, at least.

Colleen O'Connell: So, and then I read something that the expectation is they're going to meet twice a month or every other week.

Miller: Uh, tentatively. I mean, that could vary. It could vary depending on the topic. If they the variables involved would be how fast they moved through each section or chapter topic of it. If they got bogged down. They may have to meet more frequently, but in general, that's, other charters have, that's been the window has been every other week.

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Colleen O'Connell: So, what happens if someone is a committee member and just stops showing up?

Miller: Council would fill that position through appointment as well. It would always have to remain fifteen people.

Colleen O'Connell: So even if they got elected, you could remove them.

Miller: Not remove them, you asked if they just stopped showing up.

Colleen O'Connell: Right, they stop showing up.

Miller: If they kind of retired.

Colleen O'Connell: No, they just didn't show up. I'm busy. Every Wednesday from now to the end of swim season, I'm busy. I can't be there next months.

Miller: I mean that kind of, you're acknowledging that you're not being a part of it. I know you're trying to pin it into...

Colleen O'Connell: I'm trying to understand the process.

Miller: I understand what you're saying as far as how many meetings would they have to miss, in essence.

Colleen O'Connell: Essentially.

Miller: Yeah, I don't really know an answer. I'm sure...

Beazley: I would think that the formation of the group, you would start with your ground rules and requirements for membership at that point. That would be...

Colleen O'Connell: So who's in charge of the group?

Beazley: That's a great question.

Colleen O'Connell: So you have fifteen people...

Miller: So, once the fifteen people, the top...

Colleen O'Connell: They pick amongst themselves?

Miller: Right, and to kind of lend to what Dave was saying, they would set their ground rules. What it would take to, you know, out of fifteen people, is it going to be a majority rules? Would it be, they would set there their parameters of where they would, 60 percent, you know what I'm saying, as far as what they would set their parameters on. What would pass, so to speak, so that they're not getting bogged down.

Colleen O'Connell: And then those fifteen people would pick essentially who's in charge.

Miller: They would pick, they would elect amongst themselves who would be the chair of it.

They would elect a person that would be the drafter that would kind of take the notes and write the legislation as they determine it to read. That would be one position they would find amongst themselves to fill.

Colleen O'Connell: So, the committee is writing the legislation or the committee's telling Mr. Schwemer what to write?

Schwemer: Well, yeah, the committee drafts the charter, you know, and that's where I've insisted, I feel we need legal counsel that's experienced in drafting charters to work with the city, and we've already brought one firm in that provided you, know, kind of a guideline to get us where we are now because the issue is you can, you almost need experience in maybe what works maybe what doesn't because if we do, if it's voted yes we adopted charter we put it to the voters they vote a second time in favor of the charter that's been put forward we want to make sure it's something we can live with because if there's problems with the charter to change it we have to go back to the voters again, which is a...a lengthy and not necessarily a cheap process. So, I do not feel comfortable in myself. Just, I mean, the code on charter, it's the Constitution, a paragraph about this big. So then, what do you put in a constitution that is constitutional? There's a lot of grey, so I would look to legal counsel that is experienced in charters to help provide a lot of that, somewhat firm, because I mean we can look at different cities but if we're comparing ourselves to like a city of Columbus charter we're, that's not a good idea you know we would want to get some, a city that has a city village and/or township that has um maybe the same kind of issues that we have demographics population and even you know, employment that is somewhat similar, because we have our own set of issues and what works for Marysville or Lima, which are both charter cities, may not work at all for us.

Colleen O'Connell: So that's what Bricker and Graydon's doing, correct?

Althaus: If that firm were to be chosen.

Schwemer: Right.

Colleen O'Connell: Okay, so they have not been retained yet.

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Schwemer: Not yet. So, we have an engagement letter that they've provided us and we're kind of working through that process, but you know that's the firm that we have been, and Chad has been in discussions with.

Colleen O'Connell: My understanding is the advantages of this is it gives counsel oversight over who the mayor is appointing. It allows counsel to set qualifications for appointed positions and to monitor that.

Miller: So, the charter would actually create that.

Colleen O'Connell: Okay.

Miller: The charter would, the mayor wouldn't actually appoint whatever would end up being an administrator, city manager, whatever the charter would create, that would be a vetted position that council would vote on and hire, so to speak. It would be higher position.

Colleen O'Connell: Okay.

Miller: So, it wouldn't be appointed.

Colleen O'Connell: Okay.

Miller: I know we...

Colleen O'Connell: So, would set forth the qualifications...

Miller: Right.

Colleen O'Connell: That would then be subject to being hired by council in accordance with the charter.

Miller: Right, yes.

Colleen O'Connell: Okay, what are the other advantages of this?

Miller: So, beyond our, are you asking beyond Cindy, as far as...

Colleen O'Connell: I'm hoping it's not just focused...

Miller: No, no, no so...

Colleen O'Connell: Other than that, other than setting up qualifications and setting out procedures for hiring non-appointed positions within the city.

Miller: So, are you talking like the auditor and treasurer?

Colleen O'Connell: No, they're elected, the auditor, they're all elected.

Miller: They would no longer be elected.

Colleen O'Connell: Really?

Schwemer: Yeah, like my position very well would be, I would have to be with these people happy and not...

Colleen O'Connell: So, these could undo elected positions?

Schwemer: Right.

Althaus: I wouldn't say undo. They wouldn't be there anymore.

Schwemer: Right. Yeah, you would just be...

Beazley: But the new charter designates those positions.

Schwemer: Right. Now, there is a charter component that you still have elected officials. So, that is one thing that the charter commission would have to decide, but a plan that a lot of people use is the treasurer, the auditor, mayor, they're all appointed. You know, sometimes you can just have the mayor vote, but they don't have as much authority. You know, so that's something that can be determined in the charter, and that's not something no one's really talked about what would be the best plan, you know, that's something the committee would have to get into. If...

Beazley: You're seeing Pandora's box here.

Schwemer: Yeah, the vote is yes in November, that's what the committee would have to get their hands around. What path would they feel would be the best for the city?

Colleen O'Connell: What are the disadvantages of a charter?

Schwemer: Uh, the biggest disadvantage I see is the statutory plan has been around.

Beazley: Time tested.

Schwemer: Time tested. You have case law. You have statutes that say what the city can and can't do. It says who hires who, who can fire who, and charter, there is more gray area. So, if we put something in the charter or we act, is that constitutional or could it be subject to challenge? So, there are potentially more grey areas where you may not know what you're doing is legal until the court tells you you've overreached your home rule authority through your charter.

Colleen O'Connell: So, you can be subject to a lot of lawsuits because you're changing a lot of things all at once.

Schwemer: It would depend, you know, but there the possibility is always there, yeah

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Miller: It is a possibility that it's there, but you're not, it's not about really trying to change everything at once as much as for me, creating a, what I would consider a better structure to fulfill the positions that aren't really vetted right now whether it is the auditor whether it's the treasurer whether it's the city service director, these positions deal with a lot of money a lot of different hats that get worn by that.

Colleen O'Connell: Can you do that through Ohio Revised or through codified ordinances?

Miller: A lot of our codified ordinance is another issue that we struggle with. We have, I think John kind of says maybe 30% of ours are outdated and antiquated as it is that they haven't been kept up. We need to, for me, I feel like we need to stay current with our government, and I know that the tried and true is statutory has been around 100 years, and I kind of lean on this, we don't all drive Model A's. The world's progressed in 200 years. We need to be current in our forms of government. As far as statutory, it's I think when me and Cindy or Cindy actually looked it up, there's 183 charter cities already and 58 are statutory or so left. So I mean it's, you're asking, you're asking somebody in Columbus, 51% of Columbus, to see us and address our issues when they're giving us the ability to create a charter and address all our issues in real time as opposed to having to go to Columbus and lobby for things that would be beneficial to our community. Whether it's the tax code, whether it's how we bid, things of that nature.

Colleen O'Connell: But all of that can be done through the codified ordinances at a much cheaper rate than what you're going to pay.

Althaus: Possibly, no, not necessarily. Especially, we have zero flexibility in the elected officials in the codified ordinances, zero. They have to be done that way.

Beazley: But to answer your question where you are going, Colleen, yes, we have been given a vision of what we think might come out of a charter committee, but those fifteen people could go 180 in the opposite direction, and establish things that we were not anticipating.

Colleen O'Connell: Or do nothing.

Beazley: It's within the parameters of what they're doing.

Althaus: They can't do nothing.

Colleen O'Connell: Why can't they do nothing?

Schwemer: Well, if they can't agree and they can put a charter together for the ballot, then there'll be no ballot issue. They have to reach it.

But you've paid Bricker & Graydon...

Althaus: No, we wouldn't have paid, you wouldn't have paid Bricker & Graydon yet.

Colleen O'Connell: So you're not paying them until after the vote in November after the committee members...

Althaus: Pretty much if you read the minutes from the meeting from two weeks ago, that's pretty much what we decided, within reason.

Beazley: We will, yeah, we will not have anything until after...

Althaus: You should have almost no cost prior to that. You don't want to get the cart ahead of the horse.

Beazley: But if the ballot passes and we put fifteen names out there and they begin work, yes, then we begin paying Bricker & Graydon, day one.

Colleen O'Connell: And that's my question. You have fifteen names, you're paying Bricker & Graydon, and your fifteen people can't come to an agreement.

Beazley: Yeah, you're talking after November. So, if they get in the room and there is no consensus.

Althaus: I appreciate your question. I guess I kind of give you the opposite with that, you've got a hundred eighty-some charters in the state now. I think folks in Kenton have just as much intelligence as anywhere else. I think they're very capable of having fifteen people that could work through that.

Colleen O'Connell: I'm not saying they're not.

Althaus: And if they do not, then wouldn't that also tell us something as well? I mean, that's going to happen pretty quick in the process. If they can't come to some sort of agreement, but these are individuals that have the desire to collect those signatures, to get on the...

Colleen O'Connell: All of you who have fifteen that do that, there's a chance some are just appointed.

Althaus: So there are, and the Ohio Revised code provides for it.

Colleen O'Connell: Right, I'm not saying that's wrong.

Althaus: Okay, so.

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Colleen O'Connell: But they didn't go through all the effort the other people did.

Althaus: All right, as we also said, we know of, I know of four or five, six petitions floating around right now, and I know two that have already been turned in.

Colleen O'Connell: Okay.

Althaus: So again, can we let it play out and see if fifteen people?

Colleen O'Connell: My question is what happens if it doesn't? If you don't get the fifteen, if the fifteen can't get along.

Althaus: So, that would be after the election and if first the city of Kenton the voters would need to decide if in that election if they wanted to move forward and that's what what's being presented to them. If they chose to um like why would fifteen people that wanted to be involved and be hands-on and have an impact in their community, not work at trying to establish what their whole point in running for that position was for. If they can't...

Beazley: When you're cast, you're suggesting that they would all have a similar vision, which there is no guarantee whatsoever.

Althaus: That's correct.

Miller: So also, also Bricker Graydon as far as their role, they're gonna be at them meetings and they specialize in kind of getting it done so they're gonna herd the cat so to speak. That's gonna be their objective is to get that.

Schwemer: Their importance is, you know, so Sunberry was one of the more recent ones that passed it, and there's stuff they didn't like in theirs. Well, that's where we'd look, well, what specifically didn't they like in theirs, what, you know, lessons learned, and that's why I think it's important to have somebody...

Colleen O'Connell: So, Bricker Graydon is going to come to these meetings, but not get paid for a whole year?

Althaus: No.

Schwemer: No. If we, if the vote is yes in November, we would be looking to sign an engagement letter with Bricker or if another firm wants to come and throw their pitch, we will be looking to use their services because I think, I mean, flat out, I think you need a little experience in this, you know, in the history, and I've been very upfront. If people want to be critical of me of taking that position, I'm going to work with whoever. I'm not going to say hands off, but at the same time, I just think it's important to have somebody knowledgeable, otherwise, we may have a train wreck on our hands, and I think somebody experienced can help keep the ship going in the right direction, but yeah, is your scenario possible that they can't come to an agreement? It is possible, but I think push comes to shove between the committee. I think you'll have at least enough vote where they get, maybe there might be some dissension within the committee, but the committee, all the committees then is doing is saying, okay, here's what we put together and we're gonna mail a copy to every voter in the town and you get to vote, you know, and it'll be up to the voters for the second vote.

Colleen O'Connell: So after November, if the ballot in November passes, and you'll engage Bricker & Graydon.

Althaus: Or another firm.

Colleen O'Connell: Whoever.

Althaus: And we definitely would look at other firms.

Colleen O'Connell: That's not my issue, Bricker Graydon's not my issue.

Althaus: No, but if we're trying to...

Colleen O'Connell: I think I've seen a \$60,000.00 fee floated around for them. So, is there going to be one person from the committee can call them with questions? We have to wait until a meeting? Or are you going to let fifteen people call them with questions because that's going to run up your \$60k.

Althaus: That would be outlined in the engagement letter, that would be specifically covered in the letter.

Miller: I really think everything would funnel through John as well, like the committee would ask John and John would follow up in that regard. It wouldn't be a free for all of fifteen people.

Schwemer: And if you're meeting every two weeks, I think the questions are going to be mostly reserved to those meetings and discussed in the open meetings.

Miller: And knowing they're coming back and then following.

Schwemer: Right.

Colleen O'Connell: So, if it passes in November and the committee decides not to do it, how do you change back?

Althaus: You haven't changed anything at that point, if it passes in November.

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Colleen O'Connell: So, then the ballot in November.

Miller: It just dies and everything stays the same.

Althaus: Because it takes two passages to first, essentially you're saying yes, we want to look at this.

Beazley: We want to do the process.

Althaus: Right. Then they do the process, they present the charter to the voters as John laid out, gets mailed to every household, and the voters vote on it.

Schwemer: And that's why you don't have a year, because there has to be enough time frame to get the charter out and then get it out before the election guidelines to the voters. So really, you're talking about an eight-month process from November, you really have to get to charter framed or you're going to miss your Secretary of State filing deadlines.

Colleen O'Connell: Well, people need time to do it, because I'm sure it's not a two-page document.

Schwemer: Right, mhm.

Colleen O'Connell: And I'm sure it is not easy to understand. So, you keep talking about the cities that have gotten the charter. Has anyone gone back to a statutory?

Miller: I'm not aware of any. I know we talked about it when Bricker Graydon was here. It's able to be obtained. It is a difficult process to change back, the same as it's difficult to change to.

Colleen O'Connell: Is it the same process to undo it?

Miller: I don't have that answer for you, I'm not really familiar with the undoing.

Schwemer: It would have to be a vote of the voters, but what your formal process...

Colleen O'Connell: Do you vote for the committee again and then figure out what statutes you want?

Althaus: No, because the Ohio Revised Code lays that out. You probably go back to...

Colleen O'Connell: So, you just vote not to have to have a charter anymore.

Althaus: It's not something we've dug into because the goal here, if this were to be acted on, is to move, is to allow the residents of Kenton to say, hey, we do like this idea of a charter, or we don't. So, that's what's being presented in November.

Miller: November is really just giving the commission an opportunity to create it, see what they create, and then the following year, what they created would be the ultimate vote on whether we had a charter or we didn't.

Althaus: I would ask you to maybe try to get to your, I mean, we've gone way over what we normally do in a question and answer, so get to your...

Colleen O'Connell: Those are my questions.

Althaus: That's all of them? Okay.

Beazley: I would point out a statistical anomaly. We've been using this number of 183 charters and only some 50 remaining cities.

Miller: I think it was 58.

Beazley: There are 938 municipal governments in the state of Ohio, so we're roughly 20%, not 75%. There's roughly 20% on the charter, and 80% still on statutory, just to put that statistical fact out.

Schwemer: Yeah, we will need to dive deep and see what needs to be changed though, because, you know, a lot of our codified ordinances, appointments, things of that nature, the employee section, that would have to be worked through, and we'd have to change. So, a lot the codified ordinance would have to be changed. So, it matches what is, whatever is ultimately in the charter, but we would still have codified ordinances, and you know...

Colleen O'Connell: Still have the crimes and the zoning and all of that.

Schwemer: Right. Mm-hmm.

Colleen O'Connell: None of that would change.

Althaus: Except sometimes it mentions mayor or safety service director it may be the administrator in that you know there may be less involvement by the mayor in the codifieds depending on whether you have that strong mayor form or not so that would have to be looked at but there would be a lot of work on the codifieds that would come out of this if it does pass.

Althaus: Anyone else here to talk about that topic?

COMMENTS FROM THE PUBLIC:

None.

COMMENTS FROM THE NEWS MEDIA:

None.

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COMMENTS FROM COUNCIL MEMBERS AND ADMINISTRATION:

Althaus: Bruce, anything more to talk about? Kristy? No, okay. Then I guess we'll go right on to Sue and work our way around.

Buroker: Just keeping a Tudor family in your prayers.

Walter: Echo that.

Jones: I'd like to express my thank yous to Chief Donnelly and his staff, the fire fighters, Chief Musser and our police department, Emma and Whitney and Tori McDaniel and everybody who volunteered for the first night out, national night out because it was a great success, and it got the citizens involved and their kids involved in a lot of things that go on at the fire and police department so that was good. My sympathies to Anda's family and friends and loved ones. We'll miss her here, and I know Sue will miss her at the Elks because she had a volunteer heart like big as this room. So, my sympathies to them.

Althaus: I guess, John anything?

Schwemer: Colleen, I just appreciate you taking an interest in this because we don't have all the answers for everything, but if this moves ahead, we do wanna get it right.

Althaus: Right.

Schwemer: But, you know, that's what we're trying to figure out. So, if you have questions or things you wanna hit off me, or let me know because we're learning as we go too, but I appreciate the input more times than often. We don't hear any input until action's done, and then we just hear crabbing, and it's better to be proactive, so I appreciate it. That's all, Joel.

Althaus: Yep, Cindy? Lynn, guess it's up to you, Lynn.

Webb: Okay, I'm gonna go down my list; from the pool has the 2025 season is in the books. Just to clarify, we usually run a little light on lifeguards this time of year because kids going back to college and sports starts so we run down on, we don't have enough guards to keep the pool open, so to speak. If anyone's been up by Murray Park, Cherry Street Park, Splash Pad, whatever title you want to use for that park. We have a new basketball court. Quality Paving had that done last week and we're working on getting the backboards and the posts painted. So, pretty excited about that and the new equipment, playground equipment for Wharton Park will be started at the end of next week and that was through a grant a couple years ago, so we finalized that today on location. Just to bring everybody up to speed for Cindy and I's week, last week was a pretty good week as far as we get, we're in a good spot where we have some really good state officials. Rob McColley, who's the president of the Ohio Senate, was here for an hour, talking with us, asking about all of our projects, our needs, our wants, our plans. It's really great to have those people engaged in what we're doing. That way, they know what they're, when we're asking for money, they know exactly what we are going for. Jim Hoops, he was here, he's state representative for the 81st district, but he'll be, he's running for our senate next time around, and then we Cindy and I met with Aaron Montz Friday. He was here for a couple hours and he was a past mayor for Tiffin who really transformed Tiffin in this kind of the same way of kind of what we're doing here and he has taken a huge interest in us. He's with the architecture engineering firm so, it was another good conversation just that people are noticing what we are doing here wanting to help and kind of gives us some advice and kind of what the tough spots that they went through to help maybe look at it a different way but it was very helpful. Let me give you a rundown on the garage; the street crew are in the first and the fourth ward right now on dura-patching. We're still working on, they're hitting some alleys on the way and during that time, but we still have a big alley list to go back to. We tried to get as many of the alleys between Main and Detroit done just because so many people are using those for access and we have some paving that will be done next well at the end of this week to so we're close get that done before school starts up on Summit some water line break areas and that kind of stuff. We did start our sewer crew back. Noah Leffler is the crew leader for that he's doing a phenomenal job and we hired we just hired Theron Gammon back so that's a big plus he has a lot of experience operator so they're doing a great job. Detroit Street between Carrol and Eliza, that project they're starting they've already started running service lines, and so that's going along really good, putting taps in and, tomorrow, Cindy and I, Burl, we meet with the schools because we want to try to really get it ironed out in the school bus, bus stops, with all that, and it's ever-changing, just so we want to make sure the community knows we're trying to stay ahead of that in real time as much as real time gives us because sometimes it could be a, for example, when they go from Carrol Street to North Street, they could do that in all in one day and grind it, or something like that, but it's some of those things that we have to get, one, communication-wise from the project to the people and parents. We have a nice reprieve from the trucks since Dunkirk's kind of shut down right now. So, it's been nice. We did have a little mishap yesterday with the truck going through the barricades, and, oh yeah, yeah, the flashing light at the

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middle school will be turned back on to cycle through for red, green, just now the school's back in. So, we'll put things out there just to remind everybody, but I would say that's kind of where we are. Again, if anybody ever has any questions, stop in, call. We'll give it, we'll get the best answer we can. We have a lot going on. We had some surveying done. The final thing. We run into an issue with old time. We have a solid where the buildings are, and then you have the seawall from around the courthouse, that's unmovable. So, kind of as things get become regulation over decades, we get squeezed. So, we're kind of squeezed on this courthouse corner and this corner down here. So, it had to be surveyed and some of the bump outs taken out, but it's kind of a, that's kind what's kind of held things up because you have to put ADA ramps in and you have a arm mass that comes in, so we're kind of squeezed on space there, so again we're trying to get it to look as good but be as most effective and the most important thing we have to be compliant because if ADA is not set right they will make it be set right so those are the things that's kind of looks like it when people see it as dragging we just wanted to get that right, and I was pleased with uh Cindy and Burl and the team you know kind of making sure this has to be looked at so they did a great job and engineering team and again I can't say enough about Helms and Son, so. So far, so good but I know it's taken a long time, and we have some construction fatigue going on out there, rightfully so, we get it um but those are the reasons what's happening. That's all I have.

Althausen: Okay. I'd echo also what John talked about, especially Colleen, thank you for the questions. This is one of those topics, it's been discussed charters multiple times. I think it comes up, maybe it has come up historically here more often when we had a weak administration, which we don't now. I think it's come up this time because over and over, as Chad has alluded to, we do run into issues trying to get some key positions filled, or filled with people on a consistent basis, especially auditor. Auditors, it's probably the, I would say in the Ohio Revised Code, the weakest, when it comes to city government of our size it's definitely a weak link, and they don't even really have to be there very little, but boy if it goes awry which we have seen when we've had a chief deputy get sick uh it's on that auditor. Well, there's another position that you could work on a little bit differently, but regardless of all that, I mean, the real point is, and this is where I tend to get a little bit defensive, I think folks in Kenton can do anything any other community can do, and I'm not saying you were saying they can't. You weren't, but so many times it comes up that, you know, well what if nobody will do it? What if they don't agree? Well, first of all, I hope there's spirited debate in those meetings. I hope there's lots of discussion. I'm more worried if there's not. I'm more worried if we get fifteen people in there if the city wants to move forward with it and we can meet once a month and we can whip this thing out and it's done. That's what scares me. As you well know, the Ohio Revised Code, this is just one area where it's so vague that it's a wonder we're able to get anything done in government in the state of Ohio. The ORC is a very vague document, and it's even vague in how you move forward with a home rule. So, this will give folks a chance to research it on their own, to decide if it's something that they think would be good to move forward on, and it moves more of the decision to a larger body as opposed to one person. It can work out great with a mayor that recognizes we might have good people in the position, keeps those people and lets them do their job. It also can work out really poorly, and that's part of what a charter's trying to get away from so that when you have a larger group that are hiring those folks. So, you don't get this constant changeover with an administration. Keep asking questions, and if that's something folks in Kenton want to do, that's what we'll do. If they don't, we won't. Keep doing what we have been, but if we can't get enough even to do that, what I would say is that's one of the issues we're trying to solve. A charter tries to solve. We need people to want to be interested in their city and where they live, where they're growing up, where they are raising their kids, and what's going on. That's what we need. We need people like what you did ask questions tonight. We need to people that want to run for be involved on city council. We spoke of Anda tonight, and Anda did that late in life. Anda is just in her second term. It's something that I remember the day she walked across the yard and said, hey, I think I'm going to run for council. She had a desire. She had an immense knowledge of local government, and it's something she wanted to put into practice. We need more people to do that. We need a retired accountant to say, hey, I want to run for auditor. We just need that, and we struggle to get it. So, if folks don't like that, there's an answer. Get involved. Is there anything else tonight? All right, with that, then I guess we're adjourned for two weeks.

Joel Althausen, President Council

Emma Nelson, Clerk

City of Kenton

Office of the Mayor, Lynn Webb

111 W. Franklin St. Kenton, OH 43326

419-674-4850

lwebb@cityofkenton.com



August 15, 2025

Kenton City Council
Emma Nelson, Clerk
111 W. Franklin Street
Kenton, Ohio 43326

Re: Application for Revitalization District – Downtown Kenton; ORC 4301.81

Dear Emma and Members of Kenton City Council,

On August 13, 2025, I received an application from Circle R. Properties, LLC, to request the establishment of the Kenton Downtown Revitalization District pursuant to Ohio Revised Code Section 4301.81. The establishment of the district would address the issue that no additional D5 liquor permits are available for new restaurants that may want to locate in downtown Kenton.

With the establishment of the proposed Downtown Kenton Revitalization District which would encompass 47.567 acres, up to nine (9) D5-L licenses could be issued upon establishment of said district. The owner or the operator of a retail food establishment or of a food service operation applying for one of the D5-L licenses would be required to have gross annual receipts from the sale of food and meals that constitute not less than seventy-five percent of its gross annual receipts. Furthermore, D5-L permits may only be transferred within the geographic boundaries of the Revitalization District.

As the Mayor of the City of Kenton, I am submitting my recommendation to the Kenton City Council in support of this application to establish the Kenton Downtown Revitalization District. Furthermore, I believe that the establishment of this proposed district will substantially contribute to entertainment, retail, social, and cultural opportunities for the Kenton community.

Sincerely,



Lynn Webb, Mayor
City of Kenton

August 13, 2025

Mayor Lynn Webb
City of Kenton, Ohio
111 W. Franklin Street
Kenton, Ohio 43326



RE: Application for Revitalization District – Downtown Kenton; ORC 4301.81

Dear Mayor Webb:

Circle R Properties, LLC, an Ohio limited liability company, owns the building and real estate located at 122 N. Main Street, Kenton, Ohio 43326, that is known and operated as the Forbing Community Centre. As you are aware, this property is located in Kenton's Historic Downtown District, which district is presently undergoing a downtown renovation by the City of Kenton, whereby the streetscape, water, sanitary sewer, and storm sewer are being replaced.

We are writing this letter to express our strong support for and formally apply for a Revitalization District under Section 4301.81 of the Ohio Revised Code. The additional D-5L liquor permits that would become available through this initiated would provide a significant opportunity for local businesses, including our business, to grow and thrive.

The proposed survey and legal description of the Kenton Downtown Revitalization District attached hereto will meet the definition of a "revitalization district" pursuant to Ohio Revised Code Section 4301.81(A)(1), which defines "revitalization district" as a "bounded area that includes or will include a combination of entertainment, retail, educational, sporting, social, cultural, or arts establishments within close proximity to some or all of the following types of establishments within the district, or other types of establishments similar to these: (a) hotels; (b) restaurants; (c) retail sales establishments; (d) enclosed shopping centers; (e) museums, (f) performing arts theaters; (g) motion picture theatres; (h) night clubs, (i) convention facilities; (j) sports facilities, and (k) entertainment facilities or complexes." Presently, downtown Kenton is home to numerous restaurants and retail sales establishments and a theatre.

There are several lots in the proposed district that could be developed and most of the properties in the proposed district are in need of renovation and revitalization. The time frame for such development will be determined by the individual owners.

The proposed Kenton Downtown Revitalization District would encompass 47.567 acres, includes all of the existing boundaries of the Downtown Historic District, and also includes portions of (i) the B-2 Downtown Business Zoning District, as set forth in Kenton Codified Ordinance Chapter 1262, (ii) the B-3 General Business Zoning District, as set forth in Kenton Codified Ordinance Chapter 1264, and (iii) the M-1 Light Manufacturing District, as set forth in Kenton Codified Ordinance Chapter 1266. Copies of each of the sections of these zoning codes are also attached hereto and the land within the proposed revitalization district are in accordance with the City of Kenton's zoning plan. As set forth in the attached City of Kenton Ordinances, these zoning designations principally permit both drinking and eating establishments and restaurants.

In accordance with Ohio Revised Code Section 4303.181(L), not more than one D5-L permit shall be issued for each revitalization district for each five (5) acres of land located within the district. Within the proposed City of Kenton Revitalization District, up to nine (9) D5-L licenses could be issued upon the establishment of the district. The proposed City of Kenton Downtown Revitalization District will benefit downtown Kenton and the greater City of Kenton community if this district is established and additional liquor permits for restaurant operators are made available. Presently, the state established limit on D5 liquor licenses is a limiting factor for the development of new restaurants in downtown Kenton and the establishment of a revitalization district will remove this limitation and barrier.

If approved, we fully intend to apply for one of these permits as soon as possible. Currently, our facility operates as an event venue, serving a wide range of private and community functions. However, with the passage of this initiative, we would be well-positioned to expand our business model and bring even more vibrant and inclusive offerings to the heart of downtown Kenton.

In closing, we appreciate your consideration of this request/application to establish the City of Kenton Downtown Revitalization District. We believe the establishment of these districts statewide have proven to be successful in communities such as Bellefontaine, Sidney, and Urbana where new restaurants are opening as result of the establishment of these districts in those communities. We appreciate your consideration and your ongoing efforts to support the growth and revitalization of our community.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rachel Perry", with a long, sweeping underline that extends to the right.

Circle R Properties, LLC
8847 County Road 175
Kenton, Ohio 43326

REVITALIZATION DISTRICT – 47.567 ACRES

Situate in the state of Ohio, County of Hardin, City of Kenton, being part of the Original Plat of Kenton, Ohio as more particularly described as follows;

Beginning at the intersection of the centerline of E Carroll Street and the centerline of the 16-ft alley east of N Wayne Street;

Thence **southerly** with the centerline of the 16-ft alley east of N Wayne Street, approximately **1400 feet** to the intersection of the centerline of the 16-ft alley east of N Wayne Street and the centerline of the 16-ft alley south of E Ohio Street;

Thence **westerly** with the centerline of the 16-ft alley south of E Ohio Street, approximately **1480 feet** to the intersection of the centerline of the 16-ft alley south of E Ohio Street and the centerline vacated S Scioto Street;

Thence **northerly** with the centerline of said vacated Scioto Street, approximately **1400 feet** to the intersection of the centerline of said vacated Scioto Street and centerline of W Carroll Street;

Thence **easterly** with the centerline of said W Carroll Street, approximately 1480 feet to the **Point of Beginning**.

The above described area contains 47.567 acres, more or less, and subject to all easements, restrictions and rights-of-way of record.

This description is not valid for the transfer of real property, is not intended to be a boundary survey as defined by the Ohio Administrative Code in Chapter 4733-37, and was created under the direction and supervision of Ryan M. King, Registered Surveyor No. S-8798.

Ryan M. King
Registered Surveyor S-8798

Date

1262.01 PRINCIPAL PERMITTED USES.

The principal permitted uses in the B-1 District shall be any use permitted in the B-1 District, except as hereinafter modified, and the following:

(a) Retail and Services. Art or antique shops, artists' supply stores, interior decorating shops, furniture and appliance stores, self-service laundries, dry cleaning shops, department stores, variety and dime stores, dry goods and apparel stores, mail order houses and the like;

(b) Banks. Including drive-in banks, savings and loan associations;

(c) Eating and Drinking Places. Bars, restaurants, cocktail lounges;

(d) Entertainment. Night clubs, theaters, billiard parlors, pool halls, bowling alleys and similar enterprises, but not within 100 feet of any R-District, subject to all applicable regulations and such permits as may be required by law;

(e) Trade or Business Schools. Provided machinery which is used for instruction purposes is not objectionable due to noise, fumes, smoke, odor or vibration;

(f) Commercial Art Studios. Photographic studios, dancing studios, radio and telecasting studios and the like;

(g) Hotels. Hotels, motels and motor hotels, subject to the provisions of Chapter 1272;

(h) Newspapers. Printing and publishing establishments;

(i) Motor Vehicle Services. Motor vehicle display, hire and sales and public garages, but not including major repair, provided all operations other than display and sales are wholly within a completely enclosed building, and provided, further, that buildings used for minor repair of motor vehicles and public garages are at least fifty feet from any R-District and have no openings adjoining residence districts other than stationary windows and fire escapes;

(j) Other Uses. Any other retail business or service establishment or use which is determined by the Board of Zoning Appeals to be of the same general character as the above permitted uses, but not including any use which is first permitted or which is not permitted in the B-3 District.

(Ord. 1420. Passed 2-28-66.)

1264.01 PRINCIPAL PERMITTED USES.

The principal permitted uses in the B-3 District shall be any use permitted and as regulated in the B-2 District, except as hereinafter modified.

(a) Retail and Services. Laundries; clothes cleaning or dyeing establishments; used merchandise stores; funeral homes and mortuaries;

(b) Wholesale. Any wholesale business, including incidental warehousing; commercial greenhouses;

(c) Eating and Drinking Establishments. Drive-in eating and drinking places, summer gardens and roadhouses, provided that the principal building is at a distance of not less than 100 feet from any residence district;

(d) Motor Vehicle Services; Farm Implements. Automobiles, trucks, trailers, farm implements, for sale, display, hire or major or minor repair, including sales lots, used car lots, trailer lots, repair garages, body and fender shops and paint shops, but not within fifty feet of any residence district;

(e) Trailer Parks. In accordance with the provisions of Chapter 1272;

(f) Animal Hospitals, Veterinary Clinics, Etc. Animal hospitals, kennels, display and housing or boarding of pets and other domestic animals, provided that any enclosures or buildings in which the animals are kept are at least 100 feet from any residence district and at least fifty feet from any B-1 or B-2 District; exercise runs shall be enclosed on four sides by an unpierced fence or wall at least six feet in height;

(g) Commercial Recreation. Any type of commercial recreation, including baseball fields, swimming pools, skating rinks, golf driving ranges and similar open air facilities, provided such establishments are at a distance of at least 200 feet from any residence district;

(h) Entertainment. Drive-in theaters, provided the screen is so located as not to be visible from adjacent streets or highways and set back not less than 200 feet from the established right-of-way line of any such street or highway;

(i) Building and Related Trades. Carpenter shops, electrical shops, plumbing shops, paint shops, heating shops, paper hanging shops, furniture upholstering shops and similar enterprises, not including contractors' yards, but not within fifty feet of any residence district;

(j) Printing and Related Trades. Publishing, job printing, lithographing, blue printing, etc.;

(k) Bottling Works. Bottling of soft drinks and milk or distribution stations, provided that any building used for such processing and distribution is at least 100 feet from any residence district;

(l) Miscellaneous Trades and Businesses. Sheet metal shops; sign-painting shops; wholesale bakeries, but not within 100 feet of any residence district;

(m) Truck Terminals, Building Material Yards and Similar Related Establishments. Trucking or motor freight stations or terminals; retail lumber yards, including incidental millwork; building material yards, excluding concrete mixing; storage and sales of grain, livestock feed or fuel; carting, express or hauling establishments, including storage of vehicles; provided such uses are conducted either:

(1) Wholly within a completely enclosed building or buildings, except for storage of vehicles, which building is at a distance of at least 100 feet from any residence district, unless such building has no openings other than stationary windows and required fire exits within such distance, but not within fifty feet of any residence district in any case; or

(2) When conducted within an area completely enclosed on all sides with a solid wall or uniformly painted solid board fence not less than six feet high, but not within 200 feet of any residence district;

provided, further, that all storage yards related to the uses in this subsection shall be enclosed;

(n) Other Uses. Any other use which is determined by the Board of Zoning Appeals to be of the same general character as the above permitted uses, but not including any use which is first permitted or which is prohibited in the M-1 District.

(Ord. 1420. Passed 2-28-66.)

(o) Sexually Oriented Businesses. Sexually oriented businesses, provided that such business shall not be operated or located within 500 feet of the following:

(1) A church, synagogue, mosque, temple or building which is used primarily for religious worship and related religious activities;

(2) Public or private educational facilities, including, but not limited to, child day-care facilities, nursery schools, preschools, kindergartens, elementary schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges and universities. "School" includes the school grounds, but does not include the facilities used primarily for another purpose and only incidentally as a school.

(3) A public park or recreational area which has been designated for park or recreational activities, including, but not limited to, parks, playgrounds, nature trails, swimming pools, reservoirs, athletic fields, basketball or tennis courts, pedestrian/bicycle paths, wilderness areas, management of the Village park and recreation authorities; or

(4) The property line of a lot located in an R-1 or R-2 District as defined in this Zoning Code.

(Ord. 00-012. Passed 8-28-00.)

1266.01 PRINCIPAL PERMITTED USES.

The principal permitted uses in the M-1 District shall be any use permitted and as regulated in the B-3 District, and any use provided in this section, except as hereinafter modified.

(a) Manufacturing. Except for uses and processes prohibited in Section 1266.04, the manufacturing, compounding, processing, packaging and assembling of products such as the following shall be permitted:

(1) Bakery goods, candy, cosmetics, pharmaceuticals, toiletries and food products except fish or meat products, sauerkraut, vinegar, yeast and the rendering or refining of fats or oils;

(2) Products from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, fibre, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, sheet metal (except where presses over twenty tons rated capacity are employed), shell, textiles, tobacco, wax, wood (except where saw and planing mills are employed) and yarns;

(3) Pottery and figurines, using previously pulverized clay, and kilns fired only with gas or electricity;

(4) Musical instruments, toys, novelties, rubber or metal stamps and other small rubber products;

(5) Electrical and electric appliances, instruments and devices, television sets, radios, phonographs;

(6) Electric and neon signs, billboards and other commercial advertising structures; light sheet metal products, including heating and ventilating equipment, cornices, eaves and the like;

(b) Laboratories. Experimental, film or testing laboratories, provided no operation is conducted or equipment used which would create hazards, noxious or offensive conditions;

(c) Warehouses. For the storage of merchandise and materials;

(d) The Following Uses. Provided no part of a building occupied by such uses has any opening other than stationary windows or required fire exits within 100 feet of any residence district:

(1) Blacksmith, welding or other metal working shops, excluding punch presses over twenty tons rated capacity, drop hammers and other noise-producing machine-operated tools; machine shops, cooperage works;

(2) Foundries casting lightweight nonferrous metals, or electric foundries not causing noxious fumes or odors;

(3) Bag, carpet and rag cleaning establishments, provided necessary equipment is installed and operated for the effective precipitation or recovery of dust;

(4) Ice manufacturing and cold storage plants; creamery and bottling plants;

(e) The Following Uses. When located not less than 200 feet from any residence district:

(1) Inflammable liquids, underground storage only, not to exceed 25,000 gallons;

(2) Building materials sales yards, including concrete mixing, lumber yards, including millwork, open yards for storage, sale of feed and/or fuel and contractors' equipment storage;

(f) Other Uses. Any other use that is determined by the Board of Zoning Appeals to be of the same general character as the above permitted uses but not including any use which is prohibited in the M-1 District under Section 1266.04.

(Ord. 1420. Passed 2-28-66.)

City of Kenton Income Tax 2025 Monthly Revenue Report

						Month: June		
	DIRECT	DIRECT	TOTAL					
	BUSINESS	INDIVIDUAL	DIRECT I/B	WITHHOLDING	MTD TOTAL ALL	YTD TOTALS	PCT	
Jan-25	\$36,669.00	\$ 24,990.31	\$ 61,659.31	\$ 296,729.65	\$ 358,388.96	\$ 358,388.96	8%	
Jan-24	\$ 380.00	\$ 19,573.31	\$ 19,953.31	\$ 357,047.06	\$ 377,000.37	\$ 377,000.37	8%	
Feb-25	\$ 40,932.91	\$ 12,650.64	\$ 53,583.55	\$ 326,697.41	\$ 380,280.96	\$ 738,669.92	15%	
Feb-24	\$ 15,501.65	\$ 9,705.64	\$ 25,207.29	\$ 243,204.12	\$ 268,411.41	\$ 645,411.78	14%	
Mar-25	\$ 39,161.03	\$ 67,250.54	\$ 106,411.57	\$ 257,693.54	\$ 364,105.11	\$ 1,102,775.03	23%	
Mar-24	\$ 12,569.19	\$ 45,154.48	\$ 57,723.67	\$ 249,209.19	\$ 306,932.86	\$ 952,344.64	20%	
Apr-25	\$ 61,303.49	\$ 118,762.84	\$ 180,066.33	\$ 345,579.85	\$ 525,646.18	\$ 1,628,421.21	34%	
Apr-24	\$ 114,587.58	\$ 138,231.09	\$ 252,818.67	\$ 314,860.32	\$ 567,678.99	\$ 1,520,023.63	33%	
May-25	\$ 19,150.89	\$ 83,106.15	\$ 102,257.04	\$ 251,808.32	\$ 354,065.36	\$ 1,982,486.57	42%	
May-24	\$ 34,519.79	\$ 89,661.16	\$ 124,180.95	\$ 310,270.13	\$ 434,451.08	\$ 1,954,474.71	42%	
Jun-25	\$ 88,197.18	\$ 20,788.52	\$ 108,985.70	\$ 333,926.37	\$ 442,912.07	\$ 2,425,398.64	51%	
Jun-24	\$ 185,973.74	\$ 20,594.03	\$ 206,567.77	\$ 282,908.62	\$ 489,476.39	\$ 2,443,951.10	53%	
Jul-25						\$ 2,425,398.64	51%	
Jul-24	\$ 4,127.00	\$ 9,741.73	\$ 13,868.73	\$ 313,914.00	\$ 327,782.73	\$ 2,771,733.83	60%	
Aug-25						\$ 2,425,398.64	51%	
Aug-24	\$ 9,631.36	\$ 9,914.67	\$ 19,546.03	\$ 311,171.24	\$ 330,717.27	\$ 3,102,451.10	67%	
Sep-25						\$ 2,425,398.64	51%	
Sep-24	\$ 201,625.86	\$ 25,275.24	\$ 226,901.10	\$ 296,076.54	\$ 522,977.64	\$ 3,625,428.74	78%	
Oct-25						\$ 2,425,398.64	51%	
Oct-24	\$ 4,120.32	\$ 13,939.29	\$ 18,059.61	\$ 295,924.22	\$ 313,983.83	\$ 3,939,412.57	85%	
Nov-25						\$ 2,425,398.64	51%	
Nov-24	\$ 8,445.92	\$ 5,638.42	\$ 14,084.34	\$ 262,203.17	\$ 276,287.51	\$ 4,215,700.08	91%	
Dec-25						\$ 2,425,398.64	51%	
Dec-24	\$ 81,696.50	\$ 4,976.42	\$ 86,672.92	\$ 345,332.98	\$ 432,005.90	\$ 4,647,705.98	100%	
YTD proj	\$ 671,817.00	\$ 541,200.00	\$ 1,213,017.00	\$ 3,557,054.00		\$ 4,770,071.00		
***2025	\$ 285,414.50	\$ 327,549.00	\$ 612,963.50	\$ 1,812,435.14		\$ 2,425,398.64		
***2024	\$ 673,178.91	\$ 392,405.48	\$ 1,065,584.39	\$ 3,582,121.59		\$ 4,647,705.98		

July 2025 WWTP Daily Discharge Flow

5.500

.7" rainf

4.500

.8" rainfgall on 7/16/25

Million Gallons

3.500

2.500

WWTP Design Flow 2.4 million gallons per day

1.500

Water Plant output approximately 1 million gallons per day



Kenton Wastewater Treatment Plant Effluent Flow

Date	Flow Meter Daily Reading	Measured Rainfall (Inches)	Daily Flow (MGD) (Report Code 50050)	Month Total Flow (MG)	Month Average Daily Flow (MGD)
Jul / 01 / 2025	23215029	0.20	3.345	3.345	2.535
Jul / 02 / 2025	23218374		2.456	5.801	
Jul / 03 / 2025	23220830		2.045	7.846	
Jul / 04 / 2025	23222875		2.142	9.988	
Jul / 05 / 2025	AN		2.142	12.130	
Jul / 06 / 2025	AN		2.142	14.272	
Jul / 07 / 2025	23229301		2.242	16.514	
Jul / 08 / 2025	23231543		2.256	18.770	
Jul / 09 / 2025	23233799		1.946	20.716	
Jul / 10 / 2025	23235745		2.223	22.939	
Jul / 11 / 2025	23237968		2.080	25.019	
Jul / 12 / 2025	AN		2.080	27.099	
Jul / 13 / 2025	AN		2.079	29.178	
Jul / 14 / 2025	23244207		2.097	31.275	
Jul / 15 / 2025	23246304		2.341	33.616	
Jul / 16 / 2025	23248645	0.80	4.102	37.718	
Jul / 17 / 2025	23252747		3.957	41.675	
Jul / 18 / 2025	23256704	0.60	2.989	44.664	
Jul / 19 / 2025	AN		2.989	47.653	
Jul / 20 / 2025	AN	0.10	2.988	50.641	
Jul / 21 / 2025	23265670		2.272	52.913	
Jul / 22 / 2025	23267942		2.236	55.149	
Jul / 23 / 2025	23270178		2.132	57.281	
Jul / 24 / 2025	23272310		2.091	59.372	
Jul / 25 / 2025	23274401		2.500	61.872	
Jul / 26 / 2025	AN		2.500	64.372	
Jul / 27 / 2025	AN		2.500	66.872	
Jul / 28 / 2025	Meter Broke		2.200	69.072	
Jul / 29 / 2025	Estimate Flow		2.200	71.272	
Jul / 30 / 2025	Estimate Flow		2.200	73.472	
Jul / 31 / 2025	Estimate Flow	0.70	5.100	78.572	

City of Kenton

Office of the Mayor

111 W. Franklin St. Kenton, OH 43326

419-674-4850

mayor@cityofkenton.com



August 18, 2025

Dear Resident,

Effective **November 1, 2025**, the City of Kenton will implement new parking restrictions to enhance safety and traffic flow:

- Parking will be prohibited on the east side of South Wayne Street from East Franklin Street to Decatur Street. Please note that parking is already prohibited on the west side of this street segment.
- Parking will be prohibited on the west side of South Market Street from West Ohio Street to Walnut Street. Please note that parking is already prohibited on the east side of this street segment.
- Parking will be prohibited on either side of North Detroit Street from East Forest Avenue to the northern city corporation limit.

These changes are necessary to address ongoing concerns related to congestion, emergency vehicle access, and pedestrian safety in these areas. I encourage all affected residents to begin making alternative parking arrangements now to ensure a smooth transition. Options may include utilizing driveways, garages, or nearby permitted parking areas.

To assist you in planning, here is an overview of the City of Kenton's rules and regulations regarding parking on private property, as outlined in Section 452.03 of the Codified Ordinances. These provisions apply to residential premises (properties in residentially zoned districts or used as dwellings) and focus on ensuring vehicles and watercraft are parked responsibly and in compliance with city standards. Key rules include:

- **Prohibited Items on Exterior Areas:** No unlicensed motor vehicles or watercraft, or those not in sound operating condition (capable of immediate use; vehicles parked in the same location for over 30 days or missing key components like tires, engines, or doors are presumed not operational), may be parked, kept, or stored outdoors on residential premises.

- **Parking Locations and Surfaces:**
 - If a driveway exists, all motor vehicles and watercraft must be parked on it. The driveway entrance must have an approved curb cut from the city.
 - If driveway space is insufficient, up to two motor vehicles and/or watercraft may be parked in the rear or side yard on a hard surface (concrete, asphalt, crushed stone, stone aggregate, or pavers) city permit required, limited to 400 square feet and accessible from the driveway or public right-of-way.
- **Non-Residential Premises:** Parking must be on approved hard surfaces.
- **Exceptions:** These rules do not apply to vehicles/watercraft stored inside garages or appropriate structures; those under major repair inside compliant buildings; items for sale (limited to 30 days, one at a time); or premises operating as licensed junk/dismantling businesses.
 - Enforcement: Violations may result in notices, removal, impoundment, and fees (e.g., \$250 administrative fee plus removal/storage costs). Appeals are available as noted in violation notices.

Permits are available at www.cityofkenton.com and also at the Municipal Building.

For the full text of Section 452.03 and related ordinances, please visit the city's codified ordinances online at <https://codelibrary.amlegal.com/codes/kenton/latest/overview> or contact the City Clerk's office.

We appreciate your cooperation in adhering to these regulations to help maintain a safe and orderly community for all.

Sincerely,



Lynn Webb
Mayor, City of Kenton

RESOLUTION NO: 034-25

A RESOLUTION AUTHORIZING THE MAYOR AND OR SAFETY SERVICE DIRECTOR TO APPLY FOR, ACCEPT, AND ENTER INTO AN OHIO DEPARTMENT OF NATURAL RESOURCES DIVISION OF FORESTRY AGREEMENT ON BEHALF OF THE CITY OF KENTON FOR THE OHIO'S URBAN FORESTRY GRANT PROGRAM, AND DECLARING AN EMERGENCY.

WHEREAS, the CITY OF KENTON intends to apply for the Ohio Department of Natural Resources Division of Forestry Grant Program; and

WHEREAS, the Ohio Department of Natural Resources Division of Forestry requires the government authority to pass legislation for application of a loan and the execution of an agreement;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kenton, Ohio:

SECTION I. That the Mayor and or Safety Service Director be, and hereby is, authorized to submit an application and execute a Project Agreement with the Ohio Department of Natural Resources Division of Forestry for a CITY OF KENTON downtown tree replacement project, on behalf of the CITY OF KENTON, Ohio.

SECTION II. That this Resolution shall be an emergency measure, the particular emergency being the need to submit an application qualifying project funding in a timely manner. Therefore, for the immediate and best protection of the public welfare and convenience, this Resolution shall be in force and effect from and after its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

Passed this _____ day of _____, 2025.

President of Council

Attest:

Clerk of Council

Approved this _____ day of _____, 2025.

Mayor

RESOLUTION NO. 035-25

A RESOLUTION CONSENTING TO THE EXECUTION OF AN AGREEMENT BETWEEN THE BOARD OF COMMISSIONERS OF HARDIN COUNTY, OHIO, AND KENTON HEALTH FACILITIES, LLC AND/OR VANCREST OF KENTON, LLC, FOR THE ADOPTION OF A PROJECT FOR THE CONSTRUCTION OF A NEW NURSING HOME/ASSISTED LIVING FACILITY AND THAT WILL CREATE EMPLOYMENT OPPORTUNITIES WITHIN THE CITY'S ENTERPRISE ZONE, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kenton has heretofore consented to the establishment of an Enterprise Zone by the Board of Commissioners of Hardin County, Ohio, as authorized by R.C. §§ 5709.61-5709.66;

WHEREAS, the Board of Commissioners of Hardin County, Ohio, has heretofore established such an Enterprise Zone;

WHEREAS, on May 30th, 2025, the Director of Development of the State of Ohio certified the area designated by Council and the Board of Commissioners as an amended certification of the City's Enterprise Zone pursuant to R.C. § 5709.61(A)(2);

WHEREAS, Kenton Health Facilities, LLC and/or Vancrest of Kenton, LLC ("Kenton Health Facilities"), has proposed a project which will involve the new investment of approximately \$13,511,000.00 for new construction and \$1,489,000.00 for machinery and equipment on land that is within the designated area; and

WHEREAS, the Council has reviewed the proposed project and is of the opinion that Kenton Health Facilities is qualified by financial responsibility and business experience to create

and preserve employment opportunities in the Enterprise Zone and to improve the economic climate of the City and the County.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kenton, Ohio:

SECTION I. That the Council of the City of Kenton, Ohio hereby consents to the approval by the Board of Commissioners of Hardin County, Ohio, to the proposed Enterprise Zone Agreement with Kenton Health Facilities in substantially the form attached hereto as **Exhibit A** and the Mayor be and is hereby authorized and directed to execute such agreement.

SECTION II. This Resolution shall be an emergency measure for the immediate and best protection of the public peace, health, safety, and welfare, the particular emergency being the need to pass this Resolution, thereby enabling the parties to enter into the proposed Enterprise Zone Agreement. Therefore, if passed by the requisite two-thirds of all members elected to Council, this Resolution shall be in force and effect from and after its approval by the Mayor; otherwise, from and after the earliest period allowed by law.

Passed this ____ day of _____, 2025.

President of Council

Attest:

Clerk

Approved this ____ day of _____, 2025.

Mayor

Exhibit A

OHIO ENTERPRISE ZONE AGREEMENT

This agreement made and entered into by and between the City of Kenton, Hardin County, Ohio, a political subdivision duly organized and validly existing under the laws of the State of Ohio with its main offices located at 111 West Franklin Street, Kenton, Ohio (hereinafter referred to as “City”), the Board of Commissioners of Hardin County, a political subdivision duly organized and existing under the laws of the State of Ohio with its main offices located at One Courthouse Square Suite 100, Kenton, Ohio (hereinafter referred to as “Hardin County”) and Kenton Health Facilities, LLC, an Ohio Corporation with its main offices located at 120 West Main Street, Suite 200, Van Wert, Ohio (hereinafter referred to as “Kenton Health Facilities”), WITNESSETH;

WHEREAS, the City and Hardin County have encouraged the development of real property and the acquisition of personal property located in the area designated as an Enterprise Zone; and

WHEREAS, Kenton Health Facilities is desirous of constructing a 67,700 square foot, 64-bed nursing and residential care facility, with a projected investment of thirteen million, five hundred eleven thousand dollars (\$13,511,000) for new construction, which has been assigned an estimated fair market value of six million, five hundred thousand dollars (\$6,500,000); and of one million, four hundred eighty-nine thousand dollars (\$1,489,000) for machinery and equipment on Wildcat Way in Kenton, Ohio (hereinafter referred to as the “PROJECT”) within the boundaries of the aforementioned Enterprise Zone, provided that the appropriate development incentives are available to support the economic viability of said PROJECT; and

WHEREAS, the Board of Commissioners of Hardin County, Ohio by Resolution No. V43-24 adopted the 13th day of January 1989, designated the area as an “Enterprise Zone” pursuant to Chapter 5709 of the Ohio Revised Code; and

WHEREAS, effective the 27th day of January 1989, the Director of Development of the State of Ohio determined that the aforementioned area designated in said Resolution V43-24 contains the

Exhibit A

characteristics set forth in §5709.61(A) of the Ohio Revised Code and certified said area as an Enterprise Zone under said Chapter 5709; and

WHEREAS, the Board of Commissioners of Hardin County, Ohio by Resolution No. V113-309 adopted the 15th day of May 2025, amended the boundaries of the Zone pursuant to Chapter 5709 of the Ohio Revised Code; and

WHEREAS, effective the 30th day of May 2025, the Director of Development of the State of Ohio determined that the aforementioned area designated in said Resolution V113-309 contains the characteristics set forth in §5709.61(A) of the Ohio Revised Code and re-certified said area as an Enterprise Zone under said Chapter 5709; and

WHEREAS, the City and Hardin County, having the appropriate authority for the stated type of project is desirous of providing Kenton Health Facilities with incentives available for the development of the PROJECT in said Enterprise Zone under Chapter 5709 of the Ohio Revised Code; and

WHEREAS, Kenton Health Facilities has submitted a proposed agreement application (herein attached as Exhibit A) to the City and Hardin County Commissioners said application (hereinafter referred to as “APPLICATION”); and

WHEREAS, Kenton Health Facilities has remitted the required state application fee of \$750.00 made payable to the Ohio Department of Development with the application to be forwarded with the final agreement; and

WHEREAS, the Enterprise Zone Negotiation Committee of City of Kenton/Buck Township/Hardin County have investigated the APPLICATION of Kenton Health Facilities and has recommended the approval of the same to the Board of Commissioners of Hardin County on the basis that Kenton Health Facilities is qualified by financial responsibility and business

Exhibit A

experience to create and preserve employment opportunities in said Enterprise Zone and improve the economic climate of the City and Hardin County; and

WHEREAS, the project site as proposed by Kenton Health Facilities is located in the Kenton City School District and the Ohio Hi-Point Career Center and the Board of Education of the respective School Districts have been notified in accordance with Ohio Revised Code §5709.83 and §5709.62(D) and have been given a copy of the APPLICATION; and

WHEREAS, pursuant to Ohio Revised Code §5709.62(C), 5709.63(A), or 5709.632 and in conformance with the format required under Ohio Revised Code §5709.631, the parties hereto desire to set forth their agreement with respect to matters hereinafter contained;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows:

Section 1. Kenton Health Facilities shall construct a 67,700 square foot, 64-bed nursing and residential care facility, with an investment of thirteen million, five hundred eleven thousand dollars (\$13,511,000) for new construction, which has been assigned an estimated fair market value of six million, five hundred thousand dollars (\$6,500,000). The facility will be located on Wildcat Way in Kenton, Ohio, and known as Tax Parcel numbers 368400030000 (currently – new parcel number will be assigned upon closing of land purchase, includes 9.565 acres of Parcel No. 368400030000, closing must be complete before Commissioners Resolution or execution of this Agreement).

In addition, Kenton Health Facilities will purchase machinery and equipment for the facility, estimated at one million, four hundred eighty-nine thousand dollars (\$1,489,000).

The PROJECT will begin September 15, 2025, and all acquisition, construction and installation will be completed by May 15, 2027.

The total investment of this construction PROJECT is greater than 10% of the market value of the facility assets already owned at the site prior to such expenditures as evidenced in Exhibit A.

Section 2. Kenton Health Facilities does not currently have any employees in the State of Ohio.

Kenton Health Facilities shall create within a time period not exceeding **36-months** after the commencement of construction of the aforesaid facility, the equivalent of **fifty-one (51) permanent full-time job opportunities**.

The number of employees will generate approximately **\$1,903,700 in new payroll**.

Exhibit A

Section 3. The City and Hardin County hereby grant a tax exemption pursuant to Ohio Revised Code §5709.63 (B)(1)(b)(ii) for eligible new real property in conjunction with the PROJECT and will only apply to the investment limits expressed in the project description as defined in Section 1 of this agreement.

75% exemption on all new real property as part of the PROJECT as defined in Section 1 of this agreement. Each identified project improvement will receive a **fifteen-year exemption period** from the date of the PROJECT completion that occurs within the same time of the commencement of this PROJECT July 1, 2025 through February 1, 2027.

The exemption commences the first year for which the new real property would first be taxable, were that property not exempted from taxation. No additional exemption shall commence after tax year **2028** nor extend beyond tax year **2043**. In no instance shall any real property be exempted from taxation for more than fifteen return years.

The City and Hardin County hereby grant a 75% tax exemption for 15 years for PROJECT pursuant to Ohio Revised Code §5709.62, 5709.63, 5709.632 and shall be in the following amounts:

<u>Year of Tax Exemption</u>	<u>Tax Exemption Amount</u>
2028	75%
2029	75%
2030	75%
2031	75%
2032	75%
2033	75%
2034	75%
2035	75%
2036	75%
2037	75%
2038	75%
2039	75%
2040	75%
2041	75%
2042	75%

Each identified project improvement will receive a fifteen-year exemption period.

Section 4. Kenton Health Facilities shall provide to the proper Tax Incentive Review Council any information reasonably required by the council to evaluate the enterprise’s compliance with the agreement, including terms filed pursuant to Ohio Revised Code §5711.02 as requested by the council.

Section 5. Kenton Health Facilities shall pay an annual fee equal to the greater of one percent of the dollar value of incentives offered under the agreement or five hundred dollars: provided, however, that if the value of the incentives exceeds two hundred fifty thousand dollars, the fee shall not exceed two thousand five hundred dollars.

The fee shall be made to Hardin County once per year for each year the agreement is effective, in the month of March, in the form of a check. The fee is to be paid to the Hardin County Auditor, and made out to the Hardin County Treasurer. This fee shall be deposited in a special fund created for such purpose and shall be used exclusively for the

Exhibit A

purpose of complying with Ohio Revised Code §5709.68 and by the tax incentive review council created under Ohio Revised Code §5709.85 exclusively for the purposes of performing the duties prescribed under that section.

Section 6. Kenton Health Facilities shall pay such real and tangible personal property taxes as are not exempted under this agreement, and are charged against such property, and shall file all tax reports and returns as required by law. If Kenton Health Facilities fails to pay such taxes or file such returns and reports, all incentives granted under this agreement are rescinded beginning with the year for which such taxes are charged or such reports or returns are required to be filed and thereafter.

Kenton Health Facilities must file the appropriate tax forms (DTE 24) with the County Auditor and (Form 913) with the State Department of Taxation to effect and maintain the exemptions covered in the agreement. The Form 913 Ohio tax form **must** be filed annually.

Section 7. The City and Hardin County shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain exemptions from taxation granted under this agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions.

Section 8. If for any reason the Enterprise Zone designation expires, the Director of the Ohio Department of Development revokes certification of the zone, or the City or Hardin County revokes the designation of the zone, entitlements granted under this agreement shall continue for the number of years specified under this agreement, unless Kenton Health Facilities materially fails to fulfill its obligations under this agreement and the City and Hardin County terminate or modify the exemptions from taxation granted under this agreement.

Section 9. If Kenton Health Facilities materially fails to fulfill its obligations under this agreement, other than with respect to the number of employee positions estimated to be created or retained under this agreement, or if the City or Hardin County determine that the certification as to delinquent taxes required by this agreement is fraudulent, the City or Hardin County may terminate or modify the exemptions from taxation granted under this agreement, and may require the repayment of the amount of taxes that would have been payable, had the property not been exempted from taxation under this agreement, for each year in which the abatement was taken.

Section 10. In any three-year period during which this agreement is in effect, if the actual number of employee positions created or retained by Kenton Health Facilities is not equal to or greater than seventy-five per cent of the number of employee positions estimated to be created or retained under this agreement during that three-year period, Kenton Health Facilities shall repay the amount of taxes on property that would have been payable had the property not been exempted from taxation under this agreement during that three-year period. In addition, the City or Hardin County may terminate or modify the exemptions from taxation granted under this agreement.

Section 11. Kenton Health Facilities hereby certifies that, at the time this agreement is executed, Kenton Health Facilities does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio and does not owe delinquent taxes for which Kenton Health Facilities is liable under Chapter 5727., 5733., 5735.,

Exhibit A

5739., 5741., 5743., 5747., or 5753 of the Ohio Revised Code, or, if such delinquent taxes are owed, Kenton Health Facilities currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 USCA 101, et seq., or such a petition has been filed against Kenton Health Facilities. For the purposes of the certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Ohio Revised Code governing payment of those taxes.

Section 12. Kenton Health Facilities affirmatively covenants that it does not owe: (1) any delinquent taxes to the State of Ohio or a political subdivision of the State; (2) any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State; and (3) any other moneys due to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.

Section 13. Kenton Health Facilities and the City and Hardin County acknowledge that this agreement must be approved by formal action of the legislative authority of the City and Hardin County as a condition for the agreement to take effect. This agreement takes effect upon such approval.

Section 14. The City and Hardin County have developed a policy to ensure recipients of Enterprise Zone tax benefits practice non-discriminating hiring in its operations. By executing this agreement, Kenton Health Facilities is committing to following non-discriminating hiring practices, acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, disability, color, national origin, or ancestry.

Section 15. This agreement is not transferable or assignable without the express, written approval of the City and Hardin County.

Section 16. Exemptions from taxation granted under this agreement shall be revoked if it is determined that Kenton Health Facilities, any successor enterprise, or any related member (as those terms are defined in §5709.61 of the Ohio Revised Code) has violated the prohibition against entering into this agreement under division (C) of §3735.6714 or §6709.62, 5709.63, or 5709.632 of the Ohio Revised Code prior to the time prescribed by that division or either of those sections.

Exhibit A

IN WITNESS WHEREOF, the Kenton City Council, pursuant to Resolution No. _____, have caused this instrument to be executed on this _____ day of _____ 2025, the Board of Commissioners of Hardin County, Ohio by Resolution No. _____, adopted this _____ day of _____ 2025 have caused this instrument to be executed on this _____ day of _____ 2025. Kenton Health Facilities, LLC by Mark White, President, has caused this instrument to be executed this _____ day of _____ 2025.

Hardin County Board of Commissioners:

By _____
Fred Rush

By _____
Timothy Striker

By _____
Joseph Sherman

City of Kenton:

By _____
Lynn Webb, Mayor

Kenton Health Facilities, LLC

By _____
Mark White
President, Kenton Health Facilities, LLC

Approved as to form:

Bradford W. Bailey
Hardin County Prosecutor

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

(CITY COUNCIL)

Rev. Code, Secs. 5705.34, 5705.35

The Council of the City of **KENTON**

HARDIN

County, Ohio, met in Regular session on the _____ day of _____
(Regular or Special)

2025, at the office of Council Chambers with the following members present:

- Sue Fox Buroker _____
- David Beazley _____
- Steve Walter _____
- Chad Miller _____
- Pegg Wren _____
- Robin Jones _____

Mr./Mrs. _____ moved the adoption of the following Resolution:

*WHEREAS, This Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2026; and
(Tax Budget requirement waived by County Budget Commission)*

*WHEREAS, The Budget Commission of **HARDIN** County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within the ten mill tax limitation, therefore be it*

*RESOLVED, By the Council of the City of **KENTON**, **Hardin County,** Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further*

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION,
AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

FUND	Amount to Be Derived from Levies Outside 10 Mill Limitation Column II	Amount Approved by Budget Commission Inside 10 Mill Limitation Column IV	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 Mill Limit V	Outside 10 Mill Limit VI
General Fund		450,212	3.2	
General Bond Retirement Fund				
Police Pension Fund				
Fire Pension Fund				
Grove Cemetery	107,310			1.00
TOTAL	107,310	450,212	3.20	1.00

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate Authorized to Be Levied	County Auditor's Estimate of Yield of (Carry to Schedule A, Column II)
General Fund: Current expense levy authorized by voters on for not to exceed years.		
Grove Cemetery levy authorized by voters on 11/8/2023 for not to exceed 5 years.	1.00	107,310

and be it further

RESOLVED, That the Clerk of this Council be, and he is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

_____ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Sue Fox Buroker	_____	_____
David Beazley	_____	_____
Steve Walter	_____	_____
Chad Miller	_____	_____
Pegg Wren	_____	_____
Robin Jones	_____	_____
_____	_____	_____

Adopted the _____ day of _____, 20____

Attest:

President of Council

Clerk of Council

CERTIFICATE TO COPY
ORIGINAL ON FILE

The State of Ohio, HARDIN County, ss.

I, _____, Clerk of the Council of the City of _____, within and for said County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original _____

now on file, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, 20____

Clerk of Council

1. A copy of this Resolution must be certified to the County Auditor before the first day of October in each year, or at such later date as may be approved by the Board of Tax Appeals.

No _____

COUNCIL OF THE CITY OF

HARDIN County, Ohio

RESOLUTION
ACCEPTING THE AMOUNTS AND RATES AS
DETERMINED BY THE BUDGET COMMISSION
AND AUTHORIZING THE NECESSARY TAX
LEVIES AND CERTIFYING THEM TO THE
COUNTY AUDITOR

Adopted _____, 20____

Clerk of Council

Filed _____, 20____

County Auditor

By _____
Deputy